

# ARNOLD & PORTER LLP



January 14, 2005

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**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Art Unit: 1631  
Examiner: M.P. Allen  
Conf. No.: 6609

Re: U.S. Patent Application No. 09/606,977 filed June 28, 2000  
Inventors: Joseph R. BYRUM  
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
Atty. Dkt: 16517.144

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Authorization is hereby given to charge the statutory fee of \$500.00 for filing a Notice of Appeal to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.144. A duplicate copy of this letter is enclosed.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.144.

Respectfully submitted,

Thomas E. Holsten (Reg. No. 46,098)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Joseph R. BYRUM

Appl. No.: 09/606,977

Filed: June 28, 2000

For: Nucleic Acid Molecules and Other Molecules Associated with Plants

Confirmation No.: 6609

Art Unit: 1631

Examiner: Marianne P. Allen

Atty. Docket: 16517.144

**Notice of Appeal from the Examiner to the  
Board of Patent Appeals and Interferences**

**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed October 14, 2004, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fee for this filing is given in the accompanying transmittal letter.

01/18/2005 JADD01 00000088 502387 09606977

01 FC:1401 500.00 DA

Date: January 14, 2005

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